

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 742 of 1998()

CC.932/1996 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI
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REVN. PETITIONER/COMPLAINANT:

M/D. ELENJIKKAL EXPORTS PVT.LTD.,
XVIII/1348,PALLURUTHY, COCHIN-682 006,
REPRESENTED BY ITS AUTHORISED REPRESENTATIVE,
C.SUNDARESWARAN, GENERAL MANAGER.

BY ADV. SRI.ANIL XAVIER

RESPONDENTS/ACCUSED:

1. A.S.F. SEA FOODS,
NADAKKAVU ROAD, PALLURUTHY,
COCHIN-682 006.
2. MOHAMMED AZEEZ, MANAGING PARTNER,
A.S.F. SEA FOODS, NADAKKAVU ROAD,
PALLURUTHY, COCHIN-682 006.
3. SABIN XAVIER, PARTNER,
A.S.F. SEA FOODS, NADAKKAVU ROAD,
PALLURUTHY, COCHIN-682 006

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU
ADV. SRI.T.V.VARGHESE
SRI.THOMAS MICHAEL

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.742 of 1998

Dated this the 21st day of February, 2007

ORDER

Revision petitioner is the complainant in the court below with respect to the offence under Section 138 of the Negotiable Instruments Act. The court below dismissed the complaint and discharged the accused. Counsel for the revision petitioner submitted that the matter was attempted to be settled and Rs.1,25,000/- was paid by the accused. It is submitted that the complainant was present in the court complex. But when the case was called, he could not reach the court in time.

2. In the circumstances, the order of the court below is set aside. The court below is directed to permit the revision petitioner to further pursue the matter. Revision petitioner shall appear before the Judicial First Class Magistrate Court-II, Kochi on 12.3.2007.

The Criminal Revision Petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

csl

K.R.UDAYABHANU, J

Crl.R.P.No.899 of 2001

ORDER

15th February, 2007

